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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3589 OF 2007

Chetan Bhupendra Shah .. Applicant
versus
State of Maharashtra .. Respondent

...

Mr. Pranav Badheka for the applicant.

Mr. D. P. Adsule, APP for the State.

CORAM : D. G. KARNIK, J

DATED : 05th December 2007

P.C.:

1. Heard learned counsel for the applicant and learned APP for the State. Perused the FIR lodged by Praful A. Shah.

2. The complainant has alleged that on death of his father, share certificate pertaining to 150 shares of L & T and 60 shares of Ultra Tech alongwith a death certificate of his father and the transfer form signed by his mother was kept in his office which were stolen. The shares of L & T appear to have been sold to the applicant. The present

applicant got the said shares transferred in his name and thereafter applied for their de-materialisation (D-Mat). On receipt of a complaint from the original complainant, applicant has transferred the shares of L & T in the name of the complainant.

3. The applicant has purchased the shares on the basis of a transfer deed which is not forged but it is duly signed by the holder. There is no material to show that the applicant had a knowledge that the shares were stolen. He, prima facie, appears to be a victim who purchased the shares. In the circumstances, applicant is entitled to an anticipatory bail.

4. Accordingly, I pass the following order:-

O R D E R

. In the event of the arrest of the applicant in connection with C.R. No.276 of 2007 registered with MRA Marg Police station, the petitioner shall be released on bail on personal bond of Rs.15,000/- with one local surety in like amount.

Application is disposed of.

(D.G. KARNIK, J)